

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CLARICE A. PETERSON,
n/k/a CLARICE A. LUCK,

Petitioner,

vs.

No. CV- 03-00660 JB/LAM

DEAN S. PETERSON,

Respondent.

DEAN S. PETERSON,

Plaintiff,

vs.

PAMELA HYDE, SECRETARY,
HUMAN SERVICES DEPT.,
STEPHANIE GONZALES, DIRECTOR,
CHILD SUPPORT ENFORCEMENT
DIVISION, AND MARK CRADDOCK,

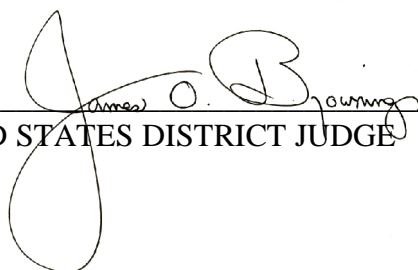
Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the Defendants' Motion to Strike Plaintiff's Supplement to Motion for Partial Summary Judgment, filed October 15, 2003 (Doc. 50). The Court held a hearing on this motion on February 11, 2004. For the reasons stated on the record in open court and consistent with the Court's ruling at the hearing on this motion, the Court will deny the motion. The Court notes that, at the time it rules on the Plaintiff's Motion for Partial Summary Judgment, it will decide whether it should consider all parts of the Plaintiff's Supplement in ruling on the motion for partial summary judgment. The Court will, therefore, deny the motion to strike

without prejudice; the Defendants may, either at the time of argument on the motion for partial summary judgment or in their supplementary materials, ask the Court not to consider specific portions of the Plaintiff's Supplement.

IT IS ORDERED that the Defendants' Motion to Strike Plaintiff's Supplement to Motion for Partial Summary Judgment is denied without prejudice. The Court will not strike the Supplement in its entirety, but the Defendants may, either at the argument on the Motion for Partial Summary Judgment or in their supplementary materials, ask the Court not to consider specific portions of the Plaintiff's Supplement.



UNITED STATES DISTRICT JUDGE

Counsel:

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